

House Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 47
HOUSE BILL 2371

AN ACT

AMENDING SECTION 28-1103, ARIZONA REVISED STATUTES; RELATING TO VEHICLE
SIZE, WEIGHT AND LOAD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-1103, Arizona Revised Statutes, is amended to
3 read:

4 28-1103. Excess size and weight special permits; definition

5 A. Subject to section 28-1104, subsection E, on application in
6 writing and for good cause, the director with respect to highways under
7 the jurisdiction of the department and a local authority with respect to
8 highways under its jurisdiction may issue a special permit in writing
9 authorizing the applicant to operate or move a vehicle or combination of
10 vehicles of a size or weight of vehicle or load exceeding the maximum
11 specified in this article or otherwise not in conformity with this chapter
12 on any highway under the jurisdiction of the party granting the permit and
13 for the maintenance of which the party is responsible.

14 B. A special permit may be issued for the movement of
15 overdimensional and overweight loads that is subject to department rules
16 for overdimensional and overweight loads. The director shall adopt rules
17 for overdimensional and overweight loads. The director may establish fees
18 to cover all or part of the cost of review and analysis of requests for
19 overdimensional and overweight load permits. The department shall collect
20 the fees, in addition to the special permit fee provided by this section
21 or section 28-1105.

22 C. Subject to this section, the director or local authority may
23 issue the following special permits that are valid for thirty days or one
24 year and that may be limited by the director or local authority:

25 1. A special permit authorizing the applicant to transport a load
26 by means of a truck-semitrailer, truck-trailer, truck
27 tractor-semitrailer-semitrailer or truck tractor-semitrailer-trailer
28 combination, if all of the following conditions are met:

29 (a) The overall length of the cargo carrying unit of the vehicle
30 combination does not exceed ninety-five feet.

31 (b) The axle weight limitations are subject to sections 28-1099 and
32 28-1100.

33 (c) The overall gross weight of the vehicle combination does not
34 exceed one hundred twenty-nine thousand pounds.

35 (d) The vehicle combination is traveling within twenty miles of the
36 borders of this state and an adjacent state that allows such combinations
37 of length and gross vehicle weight.

38 2. Except on the national intercity truck route network designated
39 by the United States secretary of transportation as required by the
40 surface transportation assistance act of 1982, a special permit
41 authorizing the applicant to transport a load by means of a truck and two
42 trailing units or a truck tractor, a semitrailer and two trailing units if
43 all of the following conditions are met:

44 (a) The overall length of the cargo carrying unit of the vehicle
45 combination does not exceed ninety-five feet.

1 (b) The axle weight limitations conform to sections 28-1099 and
2 28-1100.

3 (c) The overall gross weight of the vehicle combination does not
4 exceed one hundred twenty-three thousand five hundred pounds.

5 (d) The vehicle combination is traveling on either:

6 (i) A state route or highway that is located within four miles of
7 and extends to the border of this state and an adjacent state that allows
8 vehicle combinations of a truck or a truck tractor-semitrailer and not
9 more than two additional trailers or semitrailers.

10 (ii) A state route or highway that extends at least ten miles
11 through an Indian reservation, does not cross the Colorado river and is
12 located within twenty miles of and extends to the border of this state and
13 an adjacent state that allows such combinations of trailers or
14 semitrailers.

15 3. On application in writing by an owner of a watercraft as defined
16 in section 5-301 and on good cause shown, a special excess width permit
17 for a fee of forty-five dollars for each watercraft covered by the permit
18 that:

19 (a) Authorizes the owner to move a vehicle loaded with the
20 watercraft on a highway under the jurisdiction of the issuer if all of the
21 following conditions exist:

22 (i) The total outside width of the vehicle and watercraft does not
23 exceed ten feet.

24 (ii) The vehicle loaded with the watercraft is otherwise in
25 conformity with the limitations prescribed by this chapter.

26 (iii) The watercraft is properly registered with the Arizona game
27 and fish department.

28 (b) Contains the watercraft registration number.

29 D. The director may issue a special excess width permit for the
30 operation of a vehicle with a reducible load only if both:

31 1. The load exceeds the width limitation prescribed in section
32 28-1093.

33 2. The load does not exceed ten feet in width.

34 E. Subject to this section and on receipt of an application, the
35 director or local authority shall issue a permit that is valid for thirty
36 days or one year and that authorizes the commercial movement of
37 recreational vehicles as defined in section 41-4001 that exceed the size
38 restrictions prescribed in this article. There is no limit on the number
39 of movements generated or the number of vehicles moved by the permittee
40 under a permit issued pursuant to this subsection. Notwithstanding
41 section 28-1104, additional permit requirements shall not be imposed on
42 the commercial movement of these recreational vehicles if the recreational
43 vehicles comply with section 28-1093, subsection D.

1 F. If a local authority issues permits pursuant to this section,
2 THE LOCAL AUTHORITY SHALL ADOPT AND ENFORCE ORDINANCES THAT ARE
3 SUBSTANTIALLY IDENTICAL TO RULES ADOPTED BY THE DEPARTMENT THAT RELATE TO
4 OVERDIMENSIONAL OR OVERWEIGHT COMMERCIAL VEHICLES, AND THE LOCAL AUTHORITY
5 MAY ADOPT ORDINANCES RELATING TO INFRASTRUCTURE RESTRICTIONS, ROUTE
6 RESTRICTIONS AND TIME OF DAY RESTRICTIONS. THE local authority shall
7 provide to the department in a timely manner in an electronic format
8 prescribed by the director all current ordinances and rules of the local
9 authority relating to the permits. The department shall NOTIFY THE
10 OVERDIMENSIONAL PERMIT COUNCIL ESTABLISHED BY SECTION 28-1150 OF THE
11 ORDINANCES AND RULES AND make the ordinances and rules available to the
12 public in an electronic format IN A TIMELY MANNER.

13 G. The department is immune from liability for providing to the
14 public a local authority's ordinances or rules relating to permits issued
15 by the local authority pursuant to this section if the department relies
16 on the information submitted by the local authority in good faith.

17 H. For the purposes of this section, "cargo carrying unit" means
18 any portion of a commercial motor vehicle combination used for the
19 carrying of cargo, including a trailer, a semitrailer or the cargo
20 carrying section of a single unit truck. Cargo carrying unit does not
21 include the cab portion of a truck or truck tractor.

22 Sec. 2. Applicability

23 This act applies to ordinances adopted by a local authority before
24 and after the effective date of this act.

25 Sec. 3. Legislative findings and intent

26 The legislature finds and determines that rules for overdimensional
27 or overweight commercial vehicles should be based on objective criteria
28 and should be uniform. The legislature intends to ensure that rules
29 relating to overdimensional and overweight special permits are uniformly
30 administered and that rules, ordinances and restrictions that a local
31 authority adopts should be published by the department of transportation.

APPROVED BY THE GOVERNOR MARCH 22, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2017.

Passed the House February 16, 2017

Passed the Senate March 16, 2017

by the following vote: 58 Ayes,

by the following vote: 23 Ayes,

0 Nays, 2 Not Voting

6 Nays, 1 Not Voting


Speaker of the House

☐ Pro Tempore


Chief Clerk of the House


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

16 day of March, 2017

at 4:53 o'clock P M.


Secretary to the Governor

Approved this 22nd day of

March, 2017

at 11:56 o'clock A M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

H.B. 2371

at _____ o'clock _____ M.


Secretary of State